

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
ALBANY DIVISION**

SAFER HUMAN MEDICINE, INC.,

Plaintiff,

v.

DECATUR COUNTY-BAINBRIDGE
INDUSTRIAL DEVELOPMENT
AUTHORITY,

Defendant.

CASE NO.: 1:24-CV-27 (LAG)

ORDER

Before the Court is Plaintiff’s Motion for Preliminary Injunction (Doc. 2) and the Parties’ Consent Motion to Stay Case (Doc. 9). In the Consent Motion to Stay Case, the Parties represent that they “have engaged in discussions concerning Plaintiff’s Motion for Preliminary Injunction and further proceedings in this case” and “request the Court grant Plaintiff’s Motion for Preliminary Injunction and toll the closing deadline stated in the Project Agreement and all other deadlines related to the Project (as defined in the Verified Complaint) to maintain the status quo pending resolution of this case.” (*Id.* ¶¶ 6–7). The Parties also request that the Court stay this case “until the later of the termination of the appeal [in *State of Decatur County Bainbridge Industrial Development Authority, et al.*, No. 23CV00260,] or 120 days from the date of this Order.” (Doc. 9-1 ¶ 2).¹

It is hereby **ORDERED** as follows:

¹ The language in the Proposed Order and the Motion are inconsistent as the Motion requests that the case be stayed “for 120 days, or until the resolution of the appeal of *State of Decatur County Bainbridge Industrial Development Authority, et al.*, [No. 23CV00260,] *whichever is sooner.*” (Doc. 9 ¶ 8). Should the Parties wish the stay to conform to the Motion rather than the Proposed Order, they should file a joint motion to modify the Order within three (3) days of the date of this Order.

1. Plaintiff's Motion for Preliminary Injunction (Doc. 2) is **GRANTED**. The closing deadline stated in the Project Agreement² and all other deadlines related to the Project are hereby tolled so as to maintain the status quo pending resolution of this case.
2. The Court understands an appeal has been noticed from the Superior Court of Decatur County, Georgia, in the case of *State v. Decatur County-Bainbridge Industrial Development Authority, et al.*, No. 23CV00260, to the Georgia Court of Appeals but that the appeal has not yet been docketed. That appeal may have some effect on issues in this case. Accordingly, the Parties' Consent Motion to Stay Case is **GRANTED**. All deadlines in this case, including the deadline for Defendant Decatur-County Bainbridge Industrial Development Authority to answer the Verified Complaint, are **STAYED** until the later of the termination of the appeal or 120 days after the date of this Order.
3. The Parties shall submit a status report to the Court within **ten (10)** days of the resolution of that appeal. If the appeal is not resolved on or before **Wednesday, June 5, 2024**, the Parties shall submit the status report on that date. The status report shall state the Parties' position(s) on whether this case should remain stayed.

SO ORDERED, this 26th day of February, 2024.

/s/ Leslie A. Gardner
LESLIE A. GARDNER, JUDGE
UNITED STATES DISTRICT COURT

² Capitalized terms have the meanings given them in Plaintiff's Verified Complaint (Doc. 1).